

## Clean Water Act Section 319: TAS Applications

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### **Tribal Eligibility** (Clean Water Act Section 518(e))

**A Tribe must demonstrate:**

- **Federal recognition**
- **Substantial governmental duties**
- **The capability to carry out grant duties**
- **Legal authority and jurisdiction**



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### **Tribal Eligibility** (Clean Water Act Section 518(e))

#### **1. Federal recognition**

- ***Tribes must be Federally recognized by the Secretary of the Interior.***



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### Tribal Eligibility

(Clean Water Act Section 518(e))

#### 2. Tribal government

- Narrative statement describing how the governing body carries out its duties and powers.**
  - Constitution
  - Articles of incorporation
  - Codes
  - Ordinances
  - Resolutions




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### Tribal Eligibility

(Clean Water Act Section 518(e))

#### 3. Capability

- Narrative statement describing the Tribes capability to administer programs.**
  - Previous and current general managerial experience
  - Evidence of environmental and public health concerns
  - Description of existing and proposed staff resources (include resumes of staff)
  - Description of accounting and procurement systems




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### Tribal Eligibility

(Clean Water Act Section 518(e))

#### 4. Tribal jurisdiction

- A description of the Tribes jurisdiction over the water resources on the reservation.**
  - Maps of the reservation and of waters over which the Tribe asserts authority
  - Executive Order, Treaties, and/or Acts of Congress which established the reservation
  - Statement from Tribal Attorney describing the Tribe's jurisdiction over the water resources within the reservation
  - Ordinances or other documents which demonstrate authority comparable to Section 504 of the Clean Water Act




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**Tribal Eligibility**  
(Clean Water Act Section 518(e))

**5. Subsequent Applications:**

- *After an initial TAS approval (ex. CWA 106), applications for each additional program need only provide the additional information unique to the additional program.*

 **CWA 319: NPS Assessment Report & NPS Management Plan**

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